

REMARKS

Claims 39, 41, 43, 45, 46, 50, 53 and 55-59 are pending in the application.

In the Office Action of October 24, 2008, it is noted that claims 39, 41, 43, 45, 46, 50, 53 and 55-59 stand rejected.

Double Patenting

Claims 39, 41, 43, 45, 46, 50, 53 and 55-59 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over allowed claims 8-23 and 26-31 of Application Serial No. 11/512,001. Since the present application and Application Serial No. 11/512,001 are commonly owned, Applicant submits herewith a Terminal Disclaimer to obviate the double patenting rejection. Withdrawal of the double patenting rejection is respectfully requested.

Conclusion

In view of the attached Terminal Disclaimer, it is respectfully submitted that the application is in condition for allowance. If for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further action.

Respectfully submitted,

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